

RECEIVED
CENTRAL FAX CENTER

OCT 30 2006

Practitioner's Docket No. 0051.00

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Carlos SCHULER, et al.

Application No.: 09/731,316

Group No.: 3731

Filed: December 6, 2000

Examiner: Michael G. MENDOZA

For: SYSTEMS AND METHODS FOR TREATING PACKAGED POWDERS

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)**

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed October 6, 2005, final rejection of claims 1-18, 21, 23-29, 35-39, 43-49, 61 and 62 are rejected and 19, 20, 22, 30-36, 40-42, 50 and 63 are objected to.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

CERTIFICATION UNDER 37 C.F.R. " 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.10*

37 C.F.R. § 1.8(a)

with sufficient postage as first class mail.

as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

facsimile transmitted to the Patent and Trademark Office, (571) 273-8300.



Signature

ANNA TRAN

(type or print name of person certifying)

Date: 10/30/2006

* Only the date of filing ('1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under '1.8 continues to be taken into account in determining timeliness. See '1.703(f). Consider "Express Mail Post Office to Addressee" ('1.10) or facsimile transmission ('1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

01 FC:1402 500.00 DA
Notice of Appeal from the Primary Examiner to Board--page 1 of 2

10/31/2006 10:00 AM (EST) 0000049 388348 09731316